

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

ALPHA PHI ALPHA FRATERNITY  
INC., et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER, in his official  
capacity as Secretary of State of Georgia,  
Defendant.

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COAKLEY PENDERGRASS et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER et al.,  
Defendants.

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ANNIE LOIS GRANT et al.,  
Plaintiffs,

v.

BRAD RAFFENSPERGER et al.,  
Defendants.

CIVIL ACTION FILE

No. 1:21-CV-5337-SCJ

CIVIL ACTION FILE

No. 1:21-CV-5339-SCJ

CIVIL ACTION FILE

No. 1:22-CV-122-SCJ

AMENDED SCHEDULING ORDER

The Court enters the following Order, amending its February 28, 2022 Scheduling Order. The Court enters this Order mindful of Allen v. Milligan, 142 S. Ct. 1105 (Mem) (2022) (No. 21-1086), which is currently pending before the Supreme Court. Allen and the above-captioned cases contain overlapping questions of law; thus, the Court will abstain from ruling on the pending Motions for Summary Judgment until after the Supreme Court publishes its decision in Allen. Cf. Miccosukee Tribe of Indians of Fla. v. S. Fla. Water Mgmt. Dist., 559 F.3d 1191, 1198 (11th Cir. 2009) (a district court has a good reason, “if not an excellent one . . . to await a federal appellate decision that is likely to have a substantial or controlling effect on the claims and issues in the stayed case.”).

Given the Supreme Court’s general practice of closing the October term in late June or early July<sup>1</sup> and assuming the Supreme Court issues its ruling in Allen on June 30, 2023, the Court enters the following amended schedule:

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<sup>1</sup> See The Court and Its Procedures, U.S. Supreme Court, <https://www.supremecourt.gov/about/procedures.aspx#:~:text=A%20Term%20of%20the%20Supreme,late%20June%20or%20early%20July>. (“A Term of the Supreme Court begins, by statute, on the first Monday in October. Usually Court sessions continue until late June or early July.”)

<b>Deadline to file supplemental briefing on the motions for summary judgment and responses thereto<sup>2</sup></b>	July 7, 2023
<b>Pretrial conference</b>	August 15, 2023
<b>Deadline to file proposed consolidated pretrial order</b>	August 22, 2023
<b>Deadline to file <u>Daubert</u> motions</b>	August 22, 2023
<b>Deadline to file motions in limine</b>	August 22, 2023
<b>Deadline to file objections to video depositions</b>	August 22, 2023
<b>Deadline to file responses to motions in limine, <u>Daubert</u> motions, and video deposition objections<sup>3</sup></b>	August 29, 2023
<b>Trial (<i>if applicable</i>) begins</b>	September 5, 2023
<b>Deadline to file proposed findings of facts and conclusions of law</b>	September 25, 2023

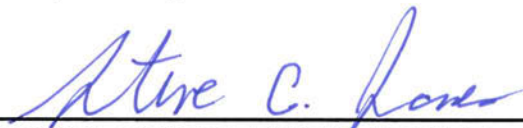
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<sup>2</sup> The Court will permit the Parties to file only one supplemental brief. At this time, no responses will be permitted.

<sup>3</sup> The parties shall meet and confer prior to submitting objections to the deposition designations and counter-designations in a good faith effort to resolve objections prior to trial.

The Court reserves the right to amend this scheduling order at a future date.

IT IS SO ORDERED this 19th day of May, 2023.

  
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HONORABLE STEVE C. JONES  
UNITED STATES DISTRICT JUDGE